

## **CHAPTER 5**

### **MINOR SUBDIVISIONS**

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#### **12-5-010 Purpose.**

The intent of this Chapter is to provide an efficient review process for minor subdivisions. Minor subdivisions include those developments of less than ten (10) lots which also meet the requirements set forth herein. In this process, the preliminary and final plats, required for most subdivisions, are simplified and combined.

#### **12-5-020 Requirements for Minor Subdivisions.**

A subdivider of property located within Farmington City may submit an application for a minor subdivision, provided that the property to be subdivided meets the following conditions:

- (1) Less than ten lots shall be created in the subdivision;
- (2) The subdivision shall not require the dedication of any land for public streets or other public purposes;
- (3) The area to be subdivided shall be immediately adjacent to existing public streets and utilities and shall not require the extension of any such streets or utilities. The Subdivider shall be required to complete any public improvements on an existing street which are not in place at the time the application to develop a minor subdivision is made. Such improvements shall include any necessary storm drainage facilities, highback curb, gutter, sidewalk, and/or asphalt paving;
- (4) The subdivision is not traversed by the mapped lines of a proposed street as shown in the General Plan;

- (5) The proposed minor subdivision shall conform to the general character of the surrounding area. New lot lines shall conform to the general pattern of existing lot lines;
- (6) Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the Zoning Ordinance; and,
- (7) Utility easements shall be dedicated.

**12-5-030 Applicability.**

The procedures set forth in this Chapter shall govern the processing of, and the requirements pertaining to, minor subdivisions, and shall take precedence over any other provisions to the contrary.

**12-5-040 Schematic Plan Required.**

Prior to filing a minor subdivision application, all Subdividers of proposed minor subdivisions within Farmington City shall be required to complete a Schematic Plan as set forth in this Title.

**12-5-050 Minor Subdivision Application.**

All Subdividers of proposed minor subdivisions within Farmington City shall submit a minor subdivision application to the City Planner on a form approved by the City. The application shall include one reproducible copy and two (2) prints of a plat meeting the requirements of Section 12-5-100. If public improvements, as specified within this Chapter, are required, the application shall be accompanied by improvement drawings for such improvements. The City Planner may also, upon advice from the City Engineer, require that a soil report meeting the requirements set forth in Section 12-6-040 be provided. At the time the application is submitted, the Subdivider shall pay the appropriate application fee as set forth in the City's Consolidated Fee Schedule. The Planning Department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the Planning Department, and the Subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities.

**12-5-060 Planning Department Review.**

Within a reasonable time after receipt of a minor subdivision application and comments and/or approval from all appropriate reviewing entities, the Planning Department shall include

the application on the Planning Commission agenda and prepare a report on the application's compliance with the General Plan, City Ordinances, Rules and Regulations. The Subdivider's application and the report of the City Planning Department shall then be presented to the Planning Commission.

#### **12-5-070      Planning Commission Action.**

Within a reasonable time after receipt of an application for minor subdivision approval from the Planning Department, the Planning Commission shall act thereon. If the Planning Commission finds that the proposed plat complies with the requirements of this Title and that it is satisfied with the plat of the subdivision, it shall recommend to the City Council that the plat be approved or that the plat be approved, with conditions. If the Planning Commission finds that the proposed plat does not meet the requirements of this Title, it shall recommend disapproval of such plat. If the Planning Commission denies minor subdivision plat approval, no further review of the proposed subdivision shall be made by the Planning Commission and a new plat shall be required to re-initiate the minor subdivision process. If a new plat is presented to the City for review within one (1) year of the date of the original minor subdivision application, no new application or application fee shall be required.

#### **12-5-080      City Council Action.**

(1) Within a reasonable time following a recommendation of approval of a minor subdivision plat by the Planning Commission, the City Council shall review the plat. The City Council shall assure that the plat is in conformity with the requirements of this Chapter and Title, other applicable ordinances or regulations, and any conditions of approval deemed necessary by the Planning Commission, or the City Council. Additionally, the City Council may, as a condition of giving its approval, require such other conditions as it deems appropriate and in keeping with the intent of the City's ordinances and regulations.

(2) If the City Council determines that the proposed plat is not in conformity with the Ordinances of the City or any reasonable conditions imposed, it shall not approve the plat, specifying the reasons for such disapproval. If a proposed plat is disapproved by the City Council, no further plat shall be submitted and a new minor subdivision application shall be required to initiate minor subdivision approval, including the payment of the required fee.

#### **12-5-090      Bond Agreement.**

In the event public improvements are required within the subdivision, the Subdivider shall comply with the bond requirements of Section 12-6-170 of this Title.

#### **12-5-100      Plat Requirements.**

(1) Each plat submitted under this Chapter shall, at a minimum, contain the

following:

- (a) the boundaries, courses, and dimensions of the parcels of ground to be subdivided;
- (b) the number, temporary address, and length and width of the blocks and lots intended for sale;
- (c) existing right-of-way and easement grants of record for underground facilities as defined in Section 54-8a-2, Utah Code Annotated, and for other utility facilities;
- (d) an acknowledgment from the owner(s) of the property to be subdivided acknowledging the preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
- (e) a certification from the surveyor preparing the plat; and,
- (f) signatures from owners or operators of all underground facilities and utility providers approving of the plat and the dedication of the required easements thereon.

(2) In addition to the plat requirements of Subsection (1), the Planning Commission and City Council may require that the plat comply with any of the requirements set forth in Section 12-6-110 of this Title.

#### **12-5-110 Recording of Plat.**

Upon approval of a minor subdivision application under this Chapter, and approval of a proposed plat prepared in accordance with this Chapter, the Subdivider shall provide the City with a current title report to be reviewed by the City Attorney. A "current title report" is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to the property has been approved by the City Attorney, the approved plat shall be signed by the City Council and may then be recorded with the Davis County Recorder's Office.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21  
Chapter 5 Amended 9-14-94, Ord. 94-37  
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24  
Chapter 5 Enacted and Recodified, 2-03-99, Ord. 99-06  
Chapter 5, Amended 4-19-06, Ord. 2006-28